

No.

2011R01221

CR 11 00748

EJD

UNITED STATES DISTRICT COURT

HRL

NORTHERN DISTRICT OF CALIFORNIA

2011 OCT 12 P 2:43

SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CA - SAN JOSE

E-FILING

THE UNITED STATES OF AMERICA

VS.

JOSE GILBERTO ORTIZ and

GUILLERMO GONZALEZ CASTILLO

INDICTMENT

SEE ATTACHMENT

A true bill.

Foreperson

Filed in open court this 12th day of October

A.D. 2011

UNITED STATES MAGISTRATE JUDGE

Bail. \$ No process

Summary of Charges

- 18 U.S.C. § 922(a)(1)(A) - Unlicensed Dealer Engaging in Business of Dealing in Firearms - Two Counts
- 18 U.S.C. § 922(g)(1) - Felon in Possession of Firearms - 10 Counts
- 8 U.S.C. § 1326 - Illegal Re-entry Following Deportation - One Count
- 18 U.S.C. § 922(k) - Possession of Firearm with Altered Serial Number - One Count
- 18 U.S.C. § 922(o) - Possession and Transfer of a Machine Gun - One Count
- 26 U.S.C. § 5861(d) Possession of a Short Barreled Shotgun Which is not Registered in the National Firearms Registration and Transfer Record - One Count
- 18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal Alien - Seven Counts
- 21 U.S.C. § 841(a)(1) - Possession of Methamphetamine with Intent to Distribute - Two Counts
- 18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance of a Drug Trafficking Crime- Two Counts

1 MELINDA HAAG (CASBN 132612)
2 United States Attorney
3
4
5
6
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 UNITED STATES OF AMERICA,)
13 Plaintiff,)
14 v.)

No.

VIOLATIONS:

15 JOSE GILBERTO ORTIZ,
16 a/k/a/ "CHEPE", and
17 GUILLERMO GONZALEZ CASTILLO
18 a/k/a "EL GALLO"

SAN JOSE VENUE

Defendants.
19
20
21
22
23
24
25
26
27
28

INDICTMENT

INDICTMENT

Summary of Charges

- 18 U.S.C. § 922(a)(1)(A) - Unlicensed Dealer Engaging in Business of Dealing in Firearms - Two Counts
- 18 U.S.C. § 922(g)(1) - Felon in Possession of Firearms - 10 Counts
- 8 U.S.C. § 1326 - Illegal Re-entry Following Deportation - One Count
- 18 U.S.C. § 922(k) - Possession of Firearm with Altered Serial Number - One Count
- 18 U.S.C. § 922(o) - Possession and Transfer of a Machine Gun - One Count
- 26 U.S.C. § 5861(d) Possession of a Short Barreled Shotgun Which is not Registered in the National Firearms Registration and Transfer Record - One Count
- 18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal Alien - Seven Counts
- 21 U.S.C. § 841(a)(1) - Possession of Methamphetamine with Intent to Distribute - Two Counts
- 18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance of a Drug Trafficking Crime- Two Counts

1 The Grand Jury charges:

2 COUNT ONE: [18 U.S.C. § 922(a)(1)(A) - Unlicensed Dealer Engaging in Dealing
Firearms]

3 Starting on a date unknown to the Grand Jury, but no later than April 19, 2011, and
4 continuing to on or about September 2, 2011, in the Northern District of California, the
5 defendant,

6 JOSE GILBERTO ORTIZ,
7 a/k/a/ "CHEPE",

8 did knowingly engage in the business of dealing in firearms without first obtaining a
9 federal license to do so, in violation of Title 18, United States Code, Section
10 922(a)(1)(A).

11 COUNT TWO: [18 U.S.C. §§ 922(a)(1)(A) and 2 - Unlicensed Dealer Engaging in
Dealing Firearms]

12 Starting on a date unknown to the Grand Jury, but no later than June 17, 2011, and
13 continuing to on or about September 2, 2011, in the Northern District of California, the
14 defendants,

15 GUILLERMO GONZALEZ CASTILLO,
16 a/k/a "EL GALLO",
17 and JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

18 did knowingly engage in the business of dealing in firearms without first obtaining a
19 federal license to do so, in violation of Title 18, United States Code, Section
20 922(a)(1)(A).

21 COUNT THREE: [8 U.S.C. § 1326 - Illegal Re-entry Following Deportation]

22 On or about September 2, 2011, the defendant,

23 GUILLERMO GONZALEZ CASTILLO,
24 a/k/a "EL GALLO"

25 an alien, previously having been excluded, deported, and removed from the United States
26 on or about January 14, 2009, was found in the Northern District of California, the
27 Attorney General of the United States and the Secretary for Homeland Security not
28 having expressly consented to a re-application by the defendant for admission into the
United States, in violation of Title 8 United States Code, Sections 1326(a) and (b).

COUNT FOUR: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

On or about April 19, 2011, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Smith and Wesson .357 caliber revolver, Model 66-2, bearing serial number AHL0462, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

On or about April 19, 2011, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Smith and Wesson .357 caliber revolver, Model 28-1, bearing serial number AHY9581, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

On or about April 29, 2011, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Romarm 5.56 x 45 millimeters caliber rifle, Model SAR 3, bearing serial number S3-09836-2002, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

On or about April 29, 2011, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a

1 firearm, *to wit*: an A.A. Arms Inc. 9 millimeter pistol, Model AP 9, bearing serial number
2 043833, in violation of Title 18, United States Code, Section 922(g)(1).

3 COUNT EIGHT: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

4 On or about April 29, 2011, in the Northern District of California, the defendant,

5 JOSE GILBERTO ORTIZ,
6 a/k/a/ "CHEPE",

7 being a person who had been convicted in a court of a crime punishable by imprisonment
8 for a term exceeding one year, did knowingly possess in and affecting commerce, a
9 firearm, *to wit*: a Beretta pistol, Model 92FS, bearing serial number BER251212, in
10 violation of Title 18, United States Code, Section 922(g)(1).

11 COUNT NINE: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

12 On or about April 29, 2011, in the Northern District of California, the defendant,

13 JOSE GILBERTO ORTIZ,
14 a/k/a/ "CHEPE",

15 being a person who had been convicted in a court of a crime punishable by imprisonment
16 for a term exceeding one year, did knowingly possess in and affecting commerce, a
17 firearm, *to wit*: a Mossberg shotgun, Model 500ATP, with the serial number partially
obliterated, in violation of Title 18, United States Code, Section 922(g)(1).

18 COUNT TEN: [18 U.S.C. § 922(k) - Possession of Firearm with Altered Serial Number]

19 On or about April 29, 2011, in the Northern District of California, the defendant,

20 JOSE GILBERTO ORTIZ,
21 a/k/a/ "CHEPE",

22 did knowingly possess a firearm, *to wit*: a Mossberg shotgun, Model 500ATP, which had
23 had the manufacturer's serial number altered, said firearm having been shipped and
24 transported in interstate and foreign commerce, in violation of Title 18, United States
Code, Section 922(k).

25 COUNT ELEVEN: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

26 On or about May 13, 2011, in the Northern District of California, the defendant,

27 JOSE GILBERTO ORTIZ,
28 a/k/a/ "CHEPE",

1 being a person who had been convicted in a court of a crime punishable by imprisonment
 2 for a term exceeding one year, did knowingly possess in and affecting commerce, a
 3 firearm, *to wit*: a Smith and Wesson .38 caliber revolver, Model 37-1, bearing serial
 4 number BNW9743, in violation of Title 18, United States Code, Section 922(g)(1).

5 COUNT TWELVE: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

6 On or about May 13, 2011, in the Northern District of California, the defendant,

7 JOSE GILBERTO ORTIZ,
 8 a/k/a/ "CHEPE",

9 being a person who had been convicted in a court of a crime punishable by imprisonment
 10 for a term exceeding one year, did knowingly possess in and affecting commerce, a
 11 firearm, *to wit*: a Norinco 9 millimeter caliber pistol, Model 213, bearing serial number
 12 39012492A, in violation of Title 18, United States Code, Section 922(g)(1).

13 COUNT THIRTEEN: [18 U.S.C. § 922(o) - Possession and Transfer of a Machine Gun]

14 On or about June 17, 2011, in the Northern District of California, the defendant,

15 GUILLERMO GONZALEZ CASTILLO,
 16 a/k/a "EL GALLO",

17 did knowingly transfer and possess a machinegun, *to wit*: a Jing An 7.62 caliber rifle,
 18 Model AK47S, bearing serial number 8708586, in violation of Title 18, United States
 19 Code, Section 922(o).

20 COUNT FOURTEEN [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal
 21 Alien]

22 On or about June 17, 2011, in the Northern District of California, the defendant,

23 GUILLERMO GONZALEZ CASTILLO,
 24 a/k/a "EL GALLO",

25 being an alien who is unlawfully in the United States, did knowingly possess in and
 26 affecting commerce, a firearm, *to wit*: a Jing An 7.62 caliber rifle, Model AK47S, bearing
 27 serial number 8708586, in violation of Title 18, United States Code, Section 922(g)(5)(A).

28 COUNT FIFTEEN: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal
 Alien]

On or about June 17, 2011, in the Northern District of California, the defendant,

//

GUILLERMO GONZALEZ CASTILLO,
a/k/a "EL GALLO",

being an alien who is unlawfully in the United States, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Ruger .41 caliber revolver, Model Blackhawk bearing serial number 46-59017, in violation of Title 18, United States Code, Section 922(g)(5)(A)

COUNT SIXTEEN: [18 U.S.C. § 922(g)(1)- Felon in Possession of a Firearm]

On or about June 22, 2011, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Colt .45 caliber pistol , Model 1911A1, bearing serial number CJ24000, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVENTEEN: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal Alien]

On or about June 24, 2011, in the Northern District of California, the defendant,

GUILLERMO GONZALEZ CASTILLO,
a/k/a "EL GALLO",

being an alien who is unlawfully in the United States, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Ruger .223 caliber, Model Mini 14, rifle bearing serial number 185-95998, in violation of Title 18, United States Code, Section 922(g)(5)(A).

COUNT EIGHTEEN: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal Alien]

On or about June 24, 2011, in the Northern District of California, the defendant,

GUILLERMO GONZALEZ CASTILLO,
a/k/a "EL GALLO",

being an alien who is unlawfully in the United States, did knowingly possess in and affecting commerce, a firearm, *to wit*: a Marlin 9 millimeter rifle, Model 9, bearing serial number 10900593, in violation of Title 18, United States Code, Section 922(g)(5)(A).

1 COUNT NINETEEN: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal
2 Alien]

3 On or about July 8, 2011, in the Northern District of California, the defendant,

4 GUILLERMO GONZALEZ CASTILLO,
5 a/k/a "EL GALLO"

6 being an alien who is unlawfully in the United States, did knowingly possess in and
7 affecting commerce, a firearm, *to wit:* an SKS 7.62 x 39 millimeter rifle bearing serial
8 number KA3507, in violation of Title 18, United States Code, Section 922(g)(5)(A).

9 COUNT TWENTY: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal
10 Alien]

11 On or about July 26, 2011, in the Northern District of California, the defendant,

12 GUILLERMO GONZALEZ CASTILLO,
13 a/k/a "EL GALLO",

14 being an alien who is unlawfully in the United States, did knowingly possess in and
15 affecting commerce, a firearm, *to wit:* a Norinco 7.62 x 39 millimeter rifle, Model MAK
16 90, bearing serial number 9467032, in violation of Title 18, United States Code, Section
17 922(g)(5)(A).

18 COUNT TWENTY ONE: [18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an
19 Illegal Alien]

20 On or about July 26, 2011, in the Northern District of California, the defendant,

21 GUILLERMO GONZALEZ CASTILLO,
22 a/k/a "EL GALLO",

23 being an alien who is unlawfully in the United States, did knowingly possess in and
24 affecting commerce, a firearm, *to wit:* a Remington 12 gauge shotgun, Model 870,
25 bearing serial number W471308M, in violation of Title 18, United States Code, Section
26 922(g)(5)(A).

27 COUNT TWENTY TWO: [26 U.S.C. § 5861(d) - Possession of a Short Barreled
28 Shotgun]

On or about July 26, 2011, in the Northern District of California, the defendant,

GUILLERMO GONZALEZ CASTILLO,
a/k/a "EL GALLO",

did knowingly possess a firearm, as that term is defined in Title 26, United States Code,

1 section 5845(a), *to wit*: a Remington 12 gauge shotgun, Model 870, bearing serial number
 2 W471308M, which firearm had a barrel of less than 18 inches in length, and was not
 3 registered to him in the National Firearms Registration and Transfer Record, all in
 4 violation of Title 26, United States Code, Section 5861(d).

5 COUNT TWENTY THREE: [21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute
 6 50 Grams or more of Methamphetamine]

7 On or about July 26, 2011, in the Northern District of California, the defendant,

8 GUILLERMO GONZALEZ CASTILLO,
 9 a/k/a "EL GALLO",

10 did knowingly possess with the intent to distribute 50 grams or more of
 11 methamphetamine.

12 COUNT TWENTY FOUR: [18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance
 13 of a Drug Trafficking Crime]

14 On or about July 26, 2011, in the Northern District of California, the defendant,

15 GUILLERMO GONZALEZ CASTILLO,
 16 a/k/a "EL GALLO",

17 during and in relation to a drug trafficking crime for which he may be prosecuted in a
 18 court of the United States, did knowingly possess a firearm, *to wit*: a Norinco 7.62 x 39
 19 millimeter rifle, Model MAK 90, bearing serial number 9467032, in furtherance of said
 20 crime, in violation in Title 18, United States Code, section 924(c)(1)(A)(i).

21 COUNT TWENTY FIVE: [18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance
 22 of a Drug Trafficking Crime]

23 On or about July 26, 2011, in the Northern District of California, the defendant,

24 GUILLERMO GONZALEZ CASTILLO,
 25 a/k/a "EL GALLO",

26 during and in relation to a drug trafficking crime for which he may be prosecuted in a
 27 court of the United States, did knowingly possess a firearm, *to wit*: a Remington 12 gauge
 28 shotgun, Model 870, bearing serial number W471308M, in furtherance of said crime, in
 violation in Title 18, United States Code, section 924(c).

COUNT TWENTY SIX: [21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute 50
Grams or more of Methamphetamine]

On or about September 2, 2011, in the Northern District of California, the

defendant,

GUILLERMO GONZALEZ CASTILLO,
a/k/a "EL GALLO",

did knowingly possess with the intent to distribute 50 grams or more of
methamphetamine.

COUNT TWENTY SEVEN: [18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm]

On or about ^{Sept. 02, 2011 M&S.} ~~April 19, 2011~~, in the Northern District of California, the defendant,

JOSE GILBERTO ORTIZ,
a/k/a/ "CHEPE",

being a person who had been convicted in a court of a crime punishable by imprisonment
for a term exceeding one year, did knowingly possess in and affecting commerce, a
firearm, *to wit*: A Mauser 9 millimeter pistol, Model S/42, bearing serial number 5036, in
violation of Title 18, United States Code, Section 922(g)(1).

DATED: October 12, 2011

A TRUE BILL.

Mary Elizabeth Sladek
FOREPERSON

MELINDA HAAG
United States Attorney

JEFF NEDROW
Chief, San Jose Office

(App'd as to form: Mary A. Fry)

AUSA Gary G. Fry

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

2011 OCT 12 12

E-FILED

DEFENDANT - U.S.

JOSE GILBERTO ORTIZ

DISTRICT COURT NUMBER

CR11 00748

EJD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ATF S/A Dennis Larko

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

11-70995 PSG

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

AUSA GARY FRY

DEFENDANT

HRL

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

Jose Gilberto Ortiz

- Counts One and Two - 18 U.S.C. § 922(a)(1)(A) - Unlicensed Dealer Engaging in Business of Dealing in Firearms

Maximum Imprisonment - 5 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Counts Four, Five, Six, Seven Eight and Nine, Eleven, Twelve, Sixteen and Twenty Seven - 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm

Maximum Imprisonment - 10 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Ten - 18 U.S.C. § 922(k) - Knowing Possession of a Firearm with an Altered Serial Number

Maximum Imprisonment - 5 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

2011 OCT 12 P 2:43

DEFENDANT - U.S.

 RICHARD W. WIEKING
 GUILLERMO GONZALEZ CASTILLO COURT

DISTRICT COURT NUMBER

CR11 00748

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ATF S/A Dennis Larko

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

11-70994 PSG

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

AUSA GARY FRY

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

Guillermo Gonzalez Castillo

- Count Two - 18 U.S.C. § 922(a)(1)(A) - Unlicensed Dealer Engaging in Business of Dealing in Firearms

Maximum Imprisonment - 5 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Three - 8 U.S.C. § 1326 - Illegal Re-entry Following Deportation

Maximum Imprisonment - 10 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Thirteen - Possession or Transfer of a Machine Gun - 18 U.S.C. § 922(o)

Maximum Imprisonment - 10 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Fourteen, Fifteen, Seventeen, Eighteen, Nineteen, Twenty, and Twenty One - 18 U.S.C. § 922(g)(5)(A) - Possession of a Firearm by an Illegal Alien

Maximum Imprisonment - 10 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Twenty Two - 26 U.S.C. § 5861(d) - Possession of a Short Barreled Shotgun

Maximum Imprisonment - 10 years

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Twenty Three and Count Twenty Six - 21 U.S.C. § 841(a)(1) - Possession with intent to Distribute 50 gram or More of Methamphetamine

Minimum Mandatory Term of Imprisonment - 10 Years

Maximum Term of Imprisonment - Life

Maximum Fine - \$10,000,000.00

Maximum Term of Supervised Relief - 5 Years

Mandatory Special Assessment - \$100.00 per count

- Count Twenty Four - 18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance of a Drug Trafficking Crime

Minimum Mandatory Term of Imprisonment - 5 Years Consecutive to the Sentence for the Drug Trafficking Crime

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 3 Years

Mandatory Special Assessment - \$100.00 per count

- Count Twenty Five - 18 U.S.C. § 924(c) - Possession of a Firearm in Furtherance of a Drug Trafficking Crime - Second or Subsequent Conviction

Minimum Mandatory Term of Imprisonment - 25 Years Consecutive to the Sentence for the Drug Trafficking Crime

Maximum Fine - \$250,000.00

Maximum Term of Supervised Relief - 5 Years

Mandatory Special Assessment - \$100.00 per count